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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

GARY SMITH AND PAMELA DUVALL,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

PAYSIGN, INC., MARK NEWCOMER, and
MARK ATTINGER,

Defendants.

No. 2:20-cv-00631-JCM

**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiffs Gary Smith and Pamela Duvall, by and through their undersigned counsel, hereby give notice that they voluntarily dismiss the above-captioned lawsuit against Defendants without prejudice and without costs to any party. No adverse party has served an answer or a motion for summary judgment.

A securities fraud action will continue under the consolidated docket *Shi v. Paysign, Inc., et al.*, No 2:20-cv-00553-GMN (D. Nev.). Mr. Smith and Ms. Duvall's voluntary dismissal is

1 without prejudice to their membership in the proposed class and shall have no impact on their
2 ability to share in any recovery obtained for the benefit of class members.

3 DATED: May 21, 2020

Respectfully submitted,

4 /s/ John P. Aldrich
5 John P. Aldrich (Nevada Bar No. 6877)
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[Proposed] Local Counsel

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18 *Attorneys for [Proposed] Lead Plaintiffs Gary*
19 *Smith and Pamela Duvall and [Proposed] Lead*
20 *Counsel*

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CERTIFICATE OF SERVICE

18 I certify that, on May 21, 2020, I caused this motion to be filed electronically, using the
19 Court's CM/ECF system. Notice of this filing will be sent by e-mail to counsel of record for all
20 parties.
21

22 /s/ John P. Aldrich
23 John P. Aldrich
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